

1 BRENDA H. ENTZMINGER
Nevada Bar No. 9800
2 PHILLIPS, SPALLAS & ANGSTADT LLC
504 South Ninth Street
3 Las Vegas, NV 89101
(702) 938-1510

4 *Attorneys for Defendant*
5 *Wal-Mart Stores, Inc.*

6 UNITED STATES DISTRICT COURT
7
8 DISTRICT OF NEVADA

9 JAMES PITTS,

10 Plaintiff,

11 v.

12 WAL-MART STORES, INC., and/or DOES 1
through 100, and/or ROE CORPORATIONS 1
13 through 100, JOHN D. BRUSH AND
COMPANY, d/b/a Sentry Group, Incorporated,
14 and/or DOES 101 through 200, and/or ROE
CORPORATIONS 101 through 200,

15 Defendants.

Case No: 2:13-cv-02077-MMD-PAL

[Clark County District Court Case No.:
A-13-689593-C, Dept. No. XXXII]

**STIPULATION TO REMAND CASE TO
STATE COURT**

16
17 Defendant, WAL-MART STORES, INC. ("Walmart" and/or "Defendant"), by and through
18 its attorney, Brenda Entzminger, of the law offices of PHILLIPS, SPALLAS & ANGSTADT, LLC,
19 and Plaintiff, JAMES PITTS, by and through his attorney, William Palmer, of the William Palmer
20 Law Group, do hereby stipulate to remand this matter to state court without prejudice.

21 Plaintiff does not dispute the existence of diversity in this matter. This stipulation to remand is
22 based on Plaintiff's averment that the amount in controversy is not met. The parties hereby stipulate
23 that this matter be remanded to the Eighth Judicial District Court Arbitration Program and, therefore,
24 seek an order by this Court remanding this matter and judicially estopping Plaintiff from seeking
25 damages over \$50,000. The parties stipulate that Plaintiff will not seek or file a Petition for
26 Exemption from the Arbitration Program and that the proper venue is Arbitration.
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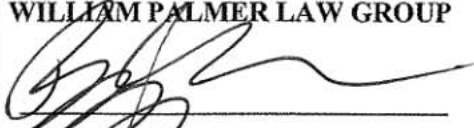
Defendant reserves the right to remove this matter back to Federal Court should new evidence or damages be presented that the jurisdictional limit of \$75,000 would be satisfied.

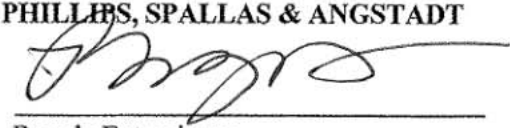
DATED this 14 day of November, 2013.

DATED this 21st day of November, 2013.

WILLIAM PALMER LAW GROUP

PHILLIPS, SPALLAS & ANGSTADT


William Palmer
THE WILLIAM PALMER LAW GROUP
600 S. Rancho Drive, Suite 110
Las Vegas, Nevada 89106


Brenda Entzminger
PHILLIPS SPALLAS & ANGSTADT
504 South Ninth Street
Las Vegas, Nevada 89101

Attorney for Plaintiff

*Attorneys for Defendant
Wal-Mart Stores, Inc.*

ORDER

IT IS SO ORDERED.

DATED this 21st day of November, 2013.


UNITED STATES DISTRICT COURT JUDGE

Respectfully submitted by:

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/ Brenda Entzminger
BRENDA H. ENTZMINGER
Nevada Bar No. 9800
504 South Ninth Street
Las Vegas, NV 89101
(702) 938-1510

*Attorneys for Defendant
Wal-Mart Stores, Inc.*